

## Senate Resolution 325

By: Senators Miles of the 43rd, Jones of the 10th, Butler of the 55th, Henson of the 41st and Thompson of the 5th

## A RESOLUTION

1 Urging the State of Georgia to appropriate funds necessary for closure and post-closure care  
2 at the Scales Road Landfill in DeKalb County and for compensation of Mr. James Clark; and  
3 for other purposes.

4 WHEREAS, DeKalb County has the highest number of landfills in the State of Georgia; and

5 WHEREAS, the State of Georgia has enacted the Georgia Comprehensive Solid Waste  
6 Management Act to ensure that solid waste facilities in this state do not adversely affect the  
7 health, safety, and well-being of the public and to further ensure that solid waste facilities do  
8 not degrade the quality of the environment; and

9 WHEREAS, this Act gives the director of the Environmental Protection Division of the  
10 Georgia Department of Natural Resources broad powers to enforce the provisions of the Act  
11 and obtain compliance with the requirements of the Act from owners and operators of solid  
12 waste management facilities; and

13 WHEREAS, counties are not clothed with the legal responsibility or ability to enforce  
14 closure obligations imposed on landfill operators, which responsibility lies solely with the  
15 State of Georgia; and

16 WHEREAS, Continental Technologies Corporation of Georgia was the owner of a landfill  
17 on Scales Road in Lithonia, DeKalb County, Georgia, and it appears that Continental  
18 Technologies has closed the landfill, but not in compliance with the applicable state law and  
19 corresponding regulations; and

20 WHEREAS, incomplete closure of a construction and demolition landfill as was operated  
21 at the Scales Road Landfill has potential adverse consequences to the health, safety, and  
22 well-being of the citizens of DeKalb County; and

1 WHEREAS, the Act establishes a Solid Waste Trust Fund from which funds may be used  
2 to address closure under limited circumstances such as when the owner or operator is unable  
3 or unwilling to close the facility; and

4 WHEREAS, it appears that the current owner of the Scales Road Landfill may be unable or  
5 unwilling to close the facility; and

6 WHEREAS, the Environmental Protection Division should carry out a health risk analysis  
7 of the populations near the state's landfills and initiate medical trending data; and

8 WHEREAS, the state should prohibit housing developments in close proximity to an existing  
9 landfill and should prohibit the location of a landfill near an established residential area; and

10 WHEREAS, the Georgia State Senate desires to ensure that, to the extent possible, it  
11 maximizes its efforts to eliminate risk of environmental consequences to the citizens living  
12 and working in close proximity to a landfill and thereby to protect the public health, safety,  
13 and general welfare of its citizens.

14 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that the State of Georgia is  
15 urged to take any and all necessary action to immediately appropriate \$1,500,000.00 in state  
16 funds for the closure and post-closure care of the Scales Road Landfill; to compensate and  
17 provide fair market value to James Clark of 7212 Scales Road for relocation and the negative  
18 impact on his home of 53 years; and in order to ensure that this landfill does not further  
19 adversely affect the health, safety, and well-being of the public and to further ensure that this  
20 facility does not further degrade the quality of the environment.